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P 021348Z FEB 10 ZFR ZFR
FM AMEMBASSY DAR ES SALAAM
TO RUEHC/SECSTATE WASHDC PRIORITY 9324
INFO RUCNSAD/SOUTHERN AF DEVELOPMENT COMMUNITY COLLECTIVE
RUEHJB/AMEMBASSY BUJUMBURA 3131
RUEHKM/AMEMBASSY KAMPALA 0104
RUEHLGB/AMEMBASSY KIGALI 1608
RUEHKI/AMEMBASSY KINSHASA 0009
RUEHLO/AMEMBASSY LONDON 0508
RUEHMS/AMEMBASSY MUSCAT 0198
RUEHNR/AMEMBASSY NAIROBI 1576
RUEHNY/AMEMBASSY OSLO 0012
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RUEAIIA/CIA WASHINGTON DC
RUEHLMC/MCC WASHINGTON DC

UNCLAS SECTION 01 OF 06 DAR ES SALAAM 000099

DEPARTMENT FOR AF/E JTREADWELL; INR/RAA: FEHERENRIECH
STATE PASS TO USAID, USTDA
NSC FOR GAVIN

SIPDIS

SENSITIVE

E.O. 12958: N/A
TAGS: PGOV PINR SOCI TZ
SUBJECT: ZANZIBAR LEGISLATURE VOTES FOR UNITY GOVERNMENT

REFS: (A) Dar es Salaam 10 and previous (B) 09 Dar es Salaam 901

DAR ES SAL 00000099 001.4 OF 006

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DAR ES SAL 00000099 002.4 OF 006

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DAR ES SAL 00000099 006.4 OF 006

(ii) Principally, the House accepts that there is a need for conducting a referendum to directly solicit citizen consent to the proposal for the establishment of the Government of National Unity in Zanzibar and in determining its structure.

(iii) The proposed structure is that of having an Executive President who shall be a person who has won the most votes in the Presidential Election, assisted by two Vice Presidents. The first Vice President shall be appointed from a Political Party attaining the second position in the presidential election. The Second Vice President shall come from the party of the President and shall serve as the government's leader in the House of Representatives, and he/she shall be the one taking over the Presidency upon the occurrence of an unfortunate event.

(iv) The House of Representatives agrees that under this structure, the President shall appoint Ministers from among Members of the House of Representatives in proportionality to the constituency seats their political parties hold in the House of Representatives.

(v) The House of Representatives emphasizes that the formulated Government of National Unity shall respect and value the principles of the January 12th, 1964 Revolution of Zanzibar.

(vi) The House accepts that the President shall have a constitutional authority to reprimand any person within the government of national unity who will be seen/found to be deliberately frustrating efficient and effective execution of the functions of the Government.

(vii) As soon as possible, the Government should submit to the House of Representative a proposed Bill for the Amendment of the Zanzibar Electoral Act (No. 11 of 1984), with a view to put in place procedures, terms and conditions for conducting a referendum, as well as giving the Zanzibar Electoral Commission mandate to supervise and conduct a referendum on important issues that require people's consent or decision.

(viii) If the people of Zanzibar through the referendum consent to the formulation of the Government of National Unity, the Government should prepare and present to the House of Representatives a Bill for the Amendment of the Constitution of Zanzibar to align it with people's decision/wishes. The amendment shall focus on articles of constitution that will need to be changed to accommodate the new form of government, including articles 9, 39 and 42.

(ix) The House of Representatives resolves to take Regional Commissioners out of politics (i.e. they shall not be members of the House of Representatives) and that they shall be appointed by the President at his/her own discretion.

(x) The House of Representatives agrees that the procedure for the appointment of District Commissioners should as it is at the moment.

(xi) The House of Representatives approves the formulation of a six member committee of three from the Government and three from the opposition- to oversee the implementation of this resolution to its completion.

(xii) The amendment of the Election Act, the referendum soliciting people's consent, and Constitutional amendment should the people approve the formulation of the Government of a National Unity, should be done before the 2010 general election.

